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AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

NEVILL et al.

Serial No. 09/731,060

Filed: December 7, 2006

Title: SCHEDULING CONTROL IN A SYSTEM HAVING MIXED HARDWARE AND SOFTWARE BASED INSTRUCTION EXECUTION



Atty Dkt. 550-192

C# M#

TC/A.U.: 2194

Examiner: Zhen, Li B.

Date: December 21, 2006

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Correspondence Address Indication Form Attached.

NOTICE OF APPEAL

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting \$500.00 (1401)/\$250.00 (2401) \$ (no fee) applicant's claim(s).

(\$500 Notice of Appeal fee previously paid May 23, 2006, without decision on merits.)

- An appeal **BRIEF** is attached in the pending appeal of the above-identified application \$500.00 (1402)/\$250.00 (2402) \$
- Credit for fees paid in prior appeal without decision on merits -\$ ()
- A reply brief is attached in triplicate under Rule 41.41 (no fee)
- Pre-Appeal Brief Request for Review form attached.
- Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$
- "Small entity" statement attached.
- Less month extension previously paid on -\$ ()
- TOTAL FEE ENCLOSED** \$ 000.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: John R. Lastova, Reg. No. 33,149

Signature: 